

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 13

UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAR 13 2002

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ROBERT N. HUNT
and
TERRY L. THIEM

Appeal No. 2002-0515
Application No. 09/222,092

ORDER REMANDING TO EXAMINER

Appellants filed a Reply Brief on February 2, 2002 (Paper No. 12), which has been matched with this application at the Board of Patent Appeals and Interferences. According to § 1208 of the Manual of Patent Examining Procedure (MPEP) (8th ed., Aug. 2001), appellant(s) may file a Reply Brief to the Examiner's Answer within two months from the mailing date of such Examiner's Answer. The examiner must then (1) either acknowledge receipt and entry of the Reply Brief or (2) withdraw the final rejection and reopen prosecution to respond to the Reply Brief. See also 37 CFR § 1.193.

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Accordingly, it is

ORDERED that the application is remanded to the examiner to acknowledge receipt and entry of appellants Reply Brief filed February 12, 2002 (Paper No. 12), or to reopen prosecution to respond to the Reply Brief, and for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of the appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS
AND INTERFERENCES

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